UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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JEANICE DOLAN, DANIEL A. MALIN, KEITH VINCENT, and all others similarly situated,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	
	)	No. 12 CV 8171 (JMF)
BENJAMIN M. LAWSKY, Superintendent of Financial Services of the State of New York in his non-regulatory capacity as RECEIVER of Executive Life Insurance company of New York; Certain Predecessor RECEIVERS of Executive Life Insurance Company of New York; METROPOLITAN LIFE INSURANCE COMPANY; and CREDIT SUISSE GROUP AG,	))))))	ECF Case
	)	
Defendants.	)	

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NOTICE OF
DEFENDANT METROPOLITAN LIFE INSURANCE COMPANY'S
MOTION TO DISMISS OR STAY

Please take notice that, at such time as counsel may be heard, Defendant Metropolitan

Life Insurance Company ("MetLife") will move this Court pursuant to Fed. R. Civ. P. 12(b)(1)

and (6) and principles of abstention for an order:

(*i*)   dismissing this action, or the claims against MetLife therein,

(*ii*)   in the alternative, staying the action or such claims until such time, if any, as the courts of

the State of New York dissolve or modify the injunctions issued by the Supreme Court,

Nassau County, in *Matter of Rehabilitation of Executive Life Insurance Company of New*

York, Index No. 8023/1991, to permit plaintiffs to maintain this action in this Court; and

(*iii*)   granting MetLife such other and further relief as the Court may determine to be

appropriate.

MetLife makes this motion upon the accompanying Memorandum of Law, the accompanying Declaration of Katherine W. Kern, and all pleadings and papers on file in this action.

MetLife has complied with the requirements of Rule 3(B)(i) of Judge Furman's Individual Rules and Practices in Civil Cases.

Dated: New York, New York
       January 18, 2013

                                        Respectfully submitted,

                                        /s/ Bruce E. Yannett
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